



## Stormwater Management Advisory Commission

### Meeting Minutes

August 1, 2019

3:00 pm

Conference Room 305  
Raleigh Municipal Building

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**Commission Members Present:** Mark Senior, Jonathan Page, Tappan Vickery, Matthew Starr, Ken Carper, David Markwood and Claudia Graham

**Staff Members Present:** Wayne Miles, Suzette Mitchell, Kelly Daniel, Scott Smith, Justin Harcum, Dale Hyatt, Kevin Boyer, Heather Dutra, Amy Farinelli, Veronica Barrett, Michelle Sclafani, and Wenju Zhang

**Commission Members Absent:** Evan Kane, Jermonde Taylor and David Webb

**Guests:** Mike Wyatts, Jonathan Hines, Ruth Struble, Hortell Daucy, Hays Johnson, Marsha Presnell-Jeanette and Chris Stanley

**Meeting called to order:** 3:00 pm by Matthew Starr (*chair*)

1. **Welcome, Introductions, Excused and Unexcused Absence**

- **Mr. Senior** made a motion to excuse Evan Kane, Jermonde Taylor and David Webb from today's meeting and **Mr. Page** seconded. The motion was passed unanimously.

2. **July 10, 2019 Minutes for Approval**

- **Mr. Senior** made a motion to approved and **Mr. Carper** seconded. The motion was passed unanimously.

3. **Stormwater Staff Report**

- **Hot Topics**

***Flood Prone Area Stakeholder's Group Update*** – There are two remaining stakeholder's meetings scheduled for August 22<sup>nd</sup> and September 12<sup>th</sup>. At the last meeting, the stakeholders decided to take off the option suggested by the Commission related to reducing the threshold of improvements to a household that would then trigger having to bring it up to flood standards. The threshold is now 50 percent and one of Commission recommendations was to drop it to 30 percent. The stakeholder's group asked it to be removed from consideration.

- **Mr. Starr** mentioned that he will leave it up to the Commission if they want to continue to discuss after receiving the full recommendation, because really the only thing the Commission asked the stakeholders to look at was quickly incentivizing getting current homeowners out of the floodplain. **Wayne Miles** added that one of the things the



*stakeholders did bring up was a buyout program like they have in Charlotte. This might be an alternative to address existing development in the floodplain.*

#### 4. **Raleigh Rainwater Reward Projects**

**Justin Harcum** (*Project Engineer*) informed the Commission of the one project that is up for review today.

##### **813 Darby Street**

Saint Ambrose Church has applied for funding assistance to install 200 square feet of bioretention and two 850-gallon cisterns to treat 3,070 square feet of impervious parking lot and roof surface on their property. This project is in the Walnut Creek watershed and is eligible for a 75% reimbursement. The total project acceptable cost estimate is \$17,100, with the petitioner's share being \$4,275 and the City Stormwater share up to \$12,825.

##### **Questions:**

**Ms. Graham** asked what the applicant plans to do with the retained water. **Justin Harcum** said the cistern will be used for drip-line irrigation.

##### **Motion:**

**Mr. Carper** made a motion to approve and **Mr. Senior** seconded. The motion was approved unanimously.

#### 5. **Hillock Drive Drainage Assistance Projects**

**Dale Hyatt** (*Drainage Assistance Supervisor*) updated the Commission on a project that was approved in November 2018 by them. With the estimated construction cost and the impact of the proposed project upgrades on downstream infrastructure, staff is recommending the purchasing of 2100 Hillock Drive and 2104 Hillock Drive. The total cost for purchase and demolition is \$1 million while the construction estimates/improvement will cost \$1.3 – \$1.5 million.

##### **Questions\Comments:**

**Mr. Senior** said since you're not making any improvements at the North Hills Drive crossing, what is the odds in the future that you will need to make those improvements anyway. **Dale Hyatt** believes it will be a project much further in the future. Staff does have existing complaints of yard flooding but not structural.

**Ms. Graham** wonders why the construction project of the downstream North Hills Drive culvert upgrade is not a separate project. **Dale Hyatt** said we could do that, but staff wouldn't recommend it because of the overall project cost of both projects. He said if we do both culvert upgrade projects there wouldn't be any warranty or guarantee they wouldn't flood again. This is an opportunity to spend less money as compared to two culvert upgrade projects and remove structures from the potential flood hazard.

**Mr. Page** asked are the property owners in agreement that a buyout is the option. **Dale Hyatt** replied that one of the property owners is present and can speak on that.



**Ms. Struble** (2104 Hillock property owner) replied that she's in turmoil everything time it rains and so she is in favor of a purchase of her property.

**Dale Hyatt** read a letter from (2100 Hillock property owner). It reads: He "...would rather have the City fixing their flooding problem by replacing the culvert with a 60in and rerouting the sewer line; however, if that's not possible, he doesn't want to stay in a house that's likely to be flooded, so they are willing to sell their house".

**Ms. Struble** commented the sewer line is coming extremely close to the foundation of her house and if someone comes in and digs an 8ft hole they can't guarantee that her foundation won't fail.

**Ms. Graham** noted in the memo it says "funding approach should not result in any reduction in FY20" could you replace "should" with "will" because it sounds conditional. She's concerned on borrowing money in the fiscal year to take care of something now. What assurance is there that the money will be put back. **Wayne Miles** states we cannot give assurances but based on the ongoing work we anticipate some of those projects will come under budget. He added we are not only looking at drainage projects, but CIP projects too.

**Ms. Vickery** asked how often we do buy-outs. **Dale Hyatt** said we have done property buy-outs previously which the actual buyout is cheaper than the estimated budget.

**Ms. Graham** asked was other options considered for construction and funding. **Dale Hyatt** said for resolving the issue, is really the improvements, or what can you do in removing the properties from the flood hazard. Regarding the funding, staff looked at other options and there's the potential to plan and forecast the funding for our CIP program later down the road. Our staff felt this option was the best to resolve the issue in a timely manner such that ongoing flooding does not continue while we wait for additional funding to be planned and forecast in CIP.

**Ms. Vickery** asked with all the demolition going on, will it do something to mitigate the flooding the other properties are experiencing. **Dale Hyatt** said we can look at that in terms of the future use of those two properties.

**Mr. Senior** asked can you look at how the downstream properties are affected by the 100-year storm. **Dale Hyatt** said they are in the floodplain. **Mr. Senior** is concerned if they experience structural flooding and we will have to come back anyway in upsizing the culvert at North Hills.

**Mr. Starr** commented that if they have structural flooding 50% of the improvements would have to be done by FEMA insurance and not through our program.

**Mr. Senior** asked if there was an option to buy one of the houses and do daylighting, wouldn't it come out cheaper. **Dale Hyatt** replied that it was preliminary looked at, but both houses sit about the same elevation and the back water resulting from the inlet floods both homes. So, buying only one home will not give enough space to continue the flow enough to have the other property not flood.

**Motion:**

**Mr. Starr** made a motion to approve staff recommendation to seek City Council's approval to purchase the two homes with the intention of quickly reimbursing back our program with the



\$400,000 and **Mr. Carper** seconded. The motion passed (6-1) (*Starr, Senior, Carper, Markwood, Vickery and Page approved*) with one opposing (*Graham*)

**6. Plan for Mandatory Use of Green Stormwater Infrastructure (GSI)**

**Kevin Boyer** (*Water Quality Supervisor*) will update the Commission on the changes in the plan that was discussed at the last GSI committee meeting held in July.

**Updates:**

- Timeline compressed into two years and broken into three phases
- Memo Changes -
  - *explains the timeline and the activities*
  - *additional paragraphs added*
  - *some stakeholder's input and opportunities at the meeting, also a robust stakeholder process built in the plan*
  - *added "what other cities are doing"*
  - *last new paragraph goes with the memo from the city attorney on limited authority to what extent any municipality can regulate stormwater runoff from any existing impervious surface*

**Mr. Starr** asked for clarification from the City Attorney's office if legally that statute only applies to water quality, or does it prohibit additional stormwater regulation to deal with water quantity in terms of flood reduction and further stormwater controls.

**Kevin Boyer** said the next step is for the Commission is to approve and recommend placing it on August 20<sup>th</sup> Council Agenda.

**Motion:**

**Mr. Starr** made a motion that the Commission recommends to City Council, to direct staff to execute this proposed informational plan, and to provide any additional direction or clarifications, and **Ms. Graham** seconded. The motion was approved unanimously.

**7. Review of Draft FY2020 SMAC Work Plan**

**Scott Bryant** presented the annual workplan draft for this fiscal year discussion.

**Mr. Starr** mentioned that the draft is like the Commission's previous workplans. He said the addition is the stream bank stabilization (*back yard stream program*).

**Wayne Miles** believes that it will go to Council in September along with the annual report. Staff brought this to the Commission to review, discuss and to make any revisions. **Mr. Starr** said the key is to provide Council with what we envision working on, but give us the flexibility to work on things that may not be spelled out specifically in the draft.

**Ms. Graham** asked if there's any target completion dates or is it part of the plan that's published and shared. **Mr. Starr** stated it's not typically part of the plan. He said the outline is on what we



think we will be working on through-out the year. He noted if we put dates in there we remove the flexibility that the document gives us.

**Ms. Graham** referenced - Item 4C (*Flood Early Warning System*) since this is crucial and a safety issue she believe the language needs to be stronger like; completed, done or implemented rather than review and develop.

**Mr. Starr** stated if the Commission has any thoughts or comments they can send in an email or bring to the next Commission meeting.

#### 8. Stormwater Design Manual Draft Outline

**Ben Brown** stated they are through with the initial draft and now moving toward public comments. He introduced **Mike Watts** of Freese & Nichols who will explain the chapters, the changes and the highlights.

##### Summary of Presentation:

- Chapter 1 – Introduction (*list the background/purpose, why there's stormwater criteria and using the manual*)
- Chapter 2 – Site development (*focuses on the process/submittals*)
- Chapter 3 – Hydrology (*methods and acceptable programs*)
- Chapter 4 – Stormwater Drainage -Hydraulics (*updated design details to current standards, and sizing inlets based on rainfall for design storm*)
- Chapter 5 – Stormwater Management-Quality (*stormwater control measures being changed to minimum design criteria*)
- Chapter 6 – Sediment & Erosion Control (*consolidating information mentioned in other references*) (UDO & GLDA)
- Chapter 7 – Floodplain Management (*standards and regulations*)
- Chapter 8 – Stormwater Utility Fee
- Project Outreach – (*input from various groups, documented online comments and responses*)
- Upcoming public meetings
  - August 2<sup>nd</sup> – *Development Stakeholders Group*
  - September 17<sup>th</sup> – *Citizens Public Information Session*
  - September 18<sup>th</sup> – *Developer Public Information Session.*

**Ben Brown** stated this is the beginning of the process and he welcomed any input and he anticipates this going to Council in January.

#### 9. Public Comment

**Marsha Presnell-Jeanette** spoke on the storm that occurred while she was coming to this meeting. She lives off Dixie Trail and sometimes when coming downtown she comes off Hillsborough Street. Today, she observed something that was stunning. The first was off Oberlin Road at Hillsborough Street. It was like a river curb to curb full of red mud and the cars had to slow down to drive over the curb. She didn't have any idea where so much soil runoff was coming from, apparently someone's sediment control fencing was not working. Secondly, at Glenwood 1 (*new building off Glenwood & Hillsborough*) the gutter spout had a phenomenal amount of water coming from those silver covers. If someone was trying to walk or run down the sidewalks with



that amount of water pouring out of the pipes, it would be dangerous. She doesn't know the status of the project or if was a parking deck or apartments. Those are public sidewalks and they are infrastructure and that water pouring off it is a dangerous situation, it's not an equitable thing and she felt this was worth sharing to this Division.

**Mr. Senior** said she raises a good point about the second item. It needs to be looked at as part of the drainage manual. It seems the city doesn't have any standards in how to get water from building rooftops to street drainage systems. There's no way to convey that water and the city needs to have a standard either in the manual, the building code or somewhere else.

**Ben Brown** noted that in the past he's had a conversation with transportation before on the grates, and they mentioned some reason why they don't do it on the sidewalk. He thinks it has something to do with ADA, but he will have to speak with them again on it. In addition, he will check with Lauren on the silt fence issue.

#### **10. Other Business**

*No further business*

#### **Adjournment:**

**Mr. Senior** made a motion to adjourn and **Mr. Carper** seconded. The motion was passed unanimously, and the meeting adjourned at 4:33 pm.

Suzette Mitchell